

**PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE**  
**&**  
**PUBLIC WORKS & TRANSPORTATION COMMITTEE**  
**Of the**  
**Suffolk County Legislature**

**Minutes**

A special joint meeting of the Public Safety & Public Information Committee and the Public Works & Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on **June 3, 2004**.

**Members Present:**

Legislator Angie Carpenter • Chairperson/Public Safety & Public Info

• Member/Public Works & Transportation

Legislator Pete O'Leary • Chairman/Public Works & Transportation

• Vice•Chair/Public Safety & Public Information

Legislator Daniel Losquadro • Vice•Chair/Public Works & Transportation

• Member/Public Safety & Public Information

Legislator David Bishop • Member/Public Safety & Public Information

Legislator William Lindsay • Member/Public Safety & Public Information

• Member/Public Works & Transportation

Legislator Andrew Crecca • Member/Public Safety & Public Information

• Member/Public Works & Transportation

Legislator Lynne Nowick • Member/Public Safety & Public Information

Legislator Brian Foley • Member/Public Works & Transportation

Legislator Ricardo Montano • Member/Public Works & Transportation

**Also In Attendance:**

Legislator Joseph Caracappa • Presiding Officer

Mea Knapp • Counsel to the Legislature

Alexandra Sullivan • Chief Deputy Clerk/Suffolk County Legislature.

Doug Sutherland • Aide to Legislator Carpenter

Linda Bay • Aide to Presiding Officer Caracappa

Ray Zaccarro • Aide to Minority Caucus  
Frank Tassone • Aide to Legislator Crecca  
Kevin LaValle • Aide to Legislator Losquadro  
Barbara LoMoriello • Aide to Legislator Cooper  
Joanne Doering • Budget Analyst/Budget Review Office  
Paul Sabatino • Chief Deputy County Executive  
Kevin Law • Chief Deputy County Executive.  
Fred Pollert • Deputy County Executive for Finance  
Kim Brandeau • County Executive's Office  
Ben Zwirn • Assistant County Executive  
Charlie Bartha • Commissioner/Department of Public Works  
Richard LaValle • Chief Deputy Commissioner/Department of Public Works.  
Leslie Mitchell • Deputy Commissioner/Department of Public Works.  
Tedd Godek • Suffolk County Architect/Department of Public Works  
Tom LaGuardia • Facilities/Department of Public Works  
Walter Denzler • Undersheriff/Suffolk County Sheriff's Office  
Alan Otto • Chief of Staff/Suffolk County Sheriff's Office  
Tom Murphy • Warden/Suffolk County Sheriff's Office.  
Joseph Rubacka • Deputy Warden/Suffolk County Sheriff's Office  
Bill Ellis • Director of Public Relations/Correction Officer's Assoc.  
Maryanne Gridley • Executive Director/Dormitory Authority  
Douglas Van Vleck • Managing Director•Construction/Dormitory Authority  
Michael Corrigan • Executive Deputy/Dormitory Authority  
Rick Bianchi • Senior Director•Project Management/Dormitory Authority.  
Pat Bianchi • Director•Statewide Projects Unit/Dormitory Authority.  
Pasquale Cinelli • Director•Statewide Facilities/Dormitory Authority.  
Ruth Cusack • Suffolk County League of Women Voters  
Katherine Hoak • Suffolk County League of Women Voters  
Adam Gaus • Suffolk County League of Women Voters.  
All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

**(\*The meeting was called to order at 11:19 A.M.\*)**

**CHAIRPERSON CARPENTER:**

I would just ask all members of the Public Safety & Public Works Committee to please join us in the Legislature if you're in the building.

We will begin with the meeting with a Pledge of Allegiance led by Legislator O'Leary.

***Salutation***

Good morning. I would like to welcome and thank the members of the committee who are able to be here this morning. I know it was not an originally scheduled meeting and not very much notice, so I appreciate that. And thank you to the County Executive's Office for helping to implement this and get the members from DASNY, from the Dormitory Authority to come down from Albany this morning, and we're joined by Maryanne Gridley and Douglas Van Vleck and we will turn it over to you and you can start with your presentation.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Just real briefly, I just want to thank Deputy Presiding Officer Carpenter and Chairman O'Leary for scheduling the joint meeting, it makes for efficiency in terms of trying to deal with the issue. We just want to have an opportunity to get before you the presentation by DASNY in connection with the legislation that we have proposed for DASNY to do the construction, the management and the bidding of the County jail.

The presentation will be made by representatives from DASNY. We're excited in the Executive's Office with regard to the potential here to have a joint partnership with State government and try to really economize and bring about the efficiencies of having two levels of government work together. There's a thought process that we entered into that lead to our recommendation, we can get into that later. The presentation will be followed by whatever level of questions you want to ask of DASNY plus their staff people as well as people from the Executive's Office. So with that, I will turn it over to Maryanne Gridley and let the presentation begin.

**MS. GRIDLEY:**

Continuing with the thank yous, I'm Maryanne Gridley, Executive Director of the Dormitory Authority. This is somewhat of a milestone for me in the sense that it is now two years that I have been on the job as Executive Director of the Dormitory Authority. We're very happy to

come here today and present to you who we are, what we do and how we go about doing what we do. We would be very pleased if, in fact, all the stakeholders here in the County were to sanction us to be your partner of choice in constructing this very important project for the County.

I would like to jump a little bit prior to the questions and let you know that in terms of our other experiences, we have all public clients that we do construction management for and one of the recent ones that you may want to ask some questions about was another municipal client, that was Westchester County, and I want to tell you that the beginning of this project will have some very distinct differences in terms of that project. One, we want to enter into a dialogue right from the beginning with all the interested stakeholders of the County to determine what are the adequate levels of funding, what is the programming that will be done with the building and to keep the communication lines and everybody's participation right from the get•go. I think one of the major hurdles was that DASNY assumed a project from Westchester County where the funding had already been authorized, it was somewhat belatedly found that, in fact, probably the costs were not exactly all that they needed to be factored into. And the fact that communication was somewhat very strong in the beginning but then episodic as it went through are lessons that we certainly have learned and have learned that we want to do business with any municipal client that we have differently, and that is a pledge that we make right from senior management on down to our project managers to keep all the people informed and keep you up•to•date and work with you right from the beginning of the project.

With that, I'm going to introduce the people that I have brought here to give the actual Power Point presentation and then we're certainly able to take questions that you would like to ask after the presentation. And feel free, if need be, to stop us at any point.

To my left here, let me start two doors down to the left, is Mike Corrigan, he's Executive Deputy for the Dormitory Authority; to my immediate left here is Doug Van Vleck, he's the manager for Construction Services for the Dormitory Authority; behind him is Rick Bianchi, he's Senior Director Project Management; and next to him is Pat Bianchi who is the Director of the Statewide Projects Unit that will be the top supervisor for this project. We have identified other personnel who will be working on this project, they will be full•time I understand; we have a regional office right here in Suffolk County. We have an idea to assign to this job somebody who is very good in terms of customer communication as well as somebody who is extremely proficient at cost control. And I think in terms of having been a public servant myself, having

worked for the Legislature, the Comptroller and the Governor, it is very key that we bring to the table on your behalf the most professional skilled people to bring this project in on time and on budget; that is a key concern I know for the Legislature as well as the County Executive. And with that, I'll turn it over to Doug to run through the Power Point presentation.

***(\*Legislator Bishop entered the meeting at 11:24 A.M. \*)***

**CHAIRPERSON CARPENTER:**

Doug, before you begin I just would like to say something along the lines of communication and having all of the stakeholders involved. I just wanted to note that with us this morning also are the members of the Department of Public Works, the Commissioner and his staff; the Sheriff's Department, the Correction Officer's; all the stakeholders really are involved.

**MR. VAN VLECK:**

Thank you. I, too, would echo Maryanne's comments about ••

**MS. MAHONEY:**

Could you please use the microphone?

**CHAIRPERSON CARPENTER:**

You're going to need to take the microphone.

**MR. VAN VLECK:**

Okay, can you hear me better?

**MS. MAHONEY:**

Yes.

**MR. VAN VLECK:**

All right. Anyway, we're excited about being here this morning. And the purpose of this presentation is to try to give you some insights to what the Dormitory Authority is about, focus on the client base that we serve, give you an indication of the project and the types of projects that we've worked on, and hopefully as we talk about our project management organization, how we envision that as we go forward with this project, hopefully go forward with this project, and then respond to any questions that you might have.

Just by way of background, the Dormitory Authority has been around for quite a while. Established by the Legislature in 1944, the original mission of the Dormitory Authority was to build dormitories for the veterans coming home from the Second World War and they were going to State Teachers College as part of the GI plan. Now, certainly our mission has changed considerably from those early days where the authority is currently providing both low cost tax •exempt financing as well as construction services for a client base that includes higher educational institutions, health care providers, court facilities and then other public purpose presentations. And of course, we don't do this for free but we do it at the actual cost of the Dormitory Authority, we are a not•for•profit organization.

In terms of the number of public clients we are currently servicing numbers somewhere in the range of 13, including the City of New York, including the SUNY System, the CUNY System, Office of Mental Health and a variety of other State agencies that we provide services for. We're organized within our office of construction in three basic groups ••

**CHAIRPERSON CARPENTER:**

Excuse me. Doug, if you could, I have been asked to ask that you hold the microphone away a little bit because it's a too loud in the machine.

**MR. VAN VLECK:**

Okay.

**CHAIRPERSON CARPENTER:**

Thank you.

**MR. VAN VLECK:**

The organization that we have, the Office of Construction for which I'm responsible on a Statewide basis, is organized in three basic groups. The first group is the Project Management Group and within that group we're broken into four basic programs; one is the Statewide Facilities which would be the program area that would be responsible for the Suffolk County Jail project. We're doing work for New York City Health and Hospitals Corporation, that program is in excess of a billion dollars. The City University of New York, we do all of their construction for all of their campuses, both the senior colleges as well as the community colleges, and we're



currently working with the City of New York on renovating its court facilities throughout the five boroughs.

The second group that provides basically support services to the Project Management Group •• and we'll talk more about project management and how that functions as we get further into the presentation •• Technical Services is a staff of 60 some•odd people, mostly registered architects and engineers that provide technical support services in the area of quality assurance, construction technology which is our reporting arm, client reporting. And then we have a group within there called Integrated Facilities Management Information Systems which has the acronym of IFMIS, and we'll talk more about that as we get through this. And of course then we have a Procurement Group and that group is responsible for all our professional services contracts which is •• which has to do with negotiating and entering into agreements with architects and engineers. We have our Construction Contract Division which is responsible for all of our public bidding and then we have a Purchasing and Interior Group, interior design group, which is really an add•on service that we would be more than happy to talk to the County about but doesn't enter into the fee structure initially. This is a menu•driven kind of series of •• menu•driven in the sense of we offer a variety of services which our clients can choose from.

Our construction workload, active projects, projects that we are actively managing across the State, totals 464 projects for a value of 4.2 billion. Projects that are over 100 million are ten projects right now, they have a total value of 2.1 billion and in most of that exists, the big projects exist in the downstate area, New York State or down to New York City as well as projects on Long Island. Our last three fiscal years of construction expenditures we put in the ground, close to \$900 million in the last fiscal year, and you can see that's pretty close to average since 2001•2002 fiscal year. So we do a lot of work.

In terms of secure facility experiences, we're currently working on a Chenango County Public Safety Building, a large part of which is a jail similar to what •• or satisfying or essentially in line with the needs of Suffolk County. It's 100,000 square feet, clearly not the magnitude of what we're talking about for this project, but it provides space for the County Jail, Sheriff's Office, Civil Pistol permits, a variety of administrative functions that service Chenango County. Twenty•six million dollar budget currently in construction, it's being done pursuant to the Wicks Law including multiple primes, base construction. We have prepurchased a lot of the specialized

long lead items including the actual cells and we are also coordinating this with the New York State Commission for Corrections.

Office of Mental Hygiene, forensic facilities; forensic facilities, for those that may not be familiar, are the facilities where the most difficult mental criminals exist. The security systems in these facilities are comparable to what you would find in maximum security prisons at the State level, including interior building reno •• well, we're including interior building renovations, we have constructed sally ports, secure fencing, microwave technology in terms of fence detection systems as well as security cameras; and again, this is being done pursuant to the Wicks Law.

We constructed two facilities for OMRDD called Centers for Intensive Treatment; these are patients that have extreme psychological and mental problems, pedophiles, that kind of a situation. The security, they provide intensive treatment as part of the OMRDD Program, but the sophisticated facilities in terms of security, again, are right up there with what you would expect to see in maximum security prisons, including everything that we spoke about in the forensic facilities. Westchester County Court, Maryanne mentioned that earlier on, but that project also had holding cells for transport, courtrooms of over 230 detainees, all of the associated security systems including partitioned elevators and video surveillance. Detention •type security ceilings, hardware equipment, as well as the finishes that go with that were also part of this project and then we have the multi•prime Wicks Law project that this was being done to as well pursuant to, and we have been working with the Commission of Corrections as well as the Westchester Department of Corrections.

The Bronx Community Criminal Court which is a huge complex we're working on for the Office of Court Administration and New York City, 775,000 square feet, a budget of 380 million, it has 86 holding cells, 24 group cells, capacity for over 400 detainees, sophisticated sally•port systems, and including all of the security•type information that you see listed there. We also included security•grade drywall impact and ballistic•proof glass, 300 sets of detention hardware, security•grade plumbing and lightning fixtures •• or lighting fixtures; anything that you would see associated with a State prison is included in this kind of a project, high, very, very high tech and very, very secure. This is •• this would be the Supreme Criminal Court in the Bronx where some of the bad, really bad people were being tried. Again, we did this job pursuant to the Wicks Law. Also included in that would be •• it was a project labor agreement that was negotiated on behalf of the City of New York and there we're coordinating with the



New York City Department of Corrections.

Getting back to our project management function so you have a sense of what we provide by way of services, the Dormitory Authority's approach to project management is a cradle-to-grave type of arrangement. We assign a project manager in the very early stages of the project, he or she lives with that project from the early stages of design including selection of architects and construction managers right through the end to the project close-out. Some of the areas that we focus on is reconciling programmatic needs with budget, that's always a problem; I think Maryanne alluded to that as being one of the big issues that we struggled with on the Westchester Project. We developed, help develop the project budgets in monitoring expenditures so that once the project is defined in terms of its budget we're able to monitor it and keep it on track providing that we have an adequate budget to start with and we have clearly identified all of the programmatic needs. Also, development of project schedules, any project that we work on, the two major areas that will reflect in problems is generally budget issues and schedule issues, and if we can control the budget and the schedule the project has a high probability of success.

Our project managers act as client agents, they work closely with the client along with the senior staff of the Authority. We assist in the selection of design professionals, coordinate efforts of all the consultants, review construction documents to make sure that they are constructible and the definition of responsibility between the contractors is clearly defined. Project managers also provide on-site representation, overseeing daily inspections. This project is of a magnitude where we would certainly recommend a construction manager but our project management staff would keep an eye on those kinds of issues, coordination of contractors, managing logistical issues as well as the schedule, making sure that information requests are addressed in an expeditious way, site safety •• we're strong, strong believers in sight safety •• and making sure that when the building is turned over the systems have been started up, properly commissioned and that they work and then, of course, then on into project close-out. Project managers review and approve proposed change orders as well as requisitions for payment, that's all part of those responsibilities.

Our Technical Service Groups, as we mentioned before, is broken into the three areas of quality assurance, construction technology and IFMIS. Are quality people, architects and engineers, review design drawings based on our own past experience, based on their understanding of codes, environmental issues, feasibility, studies and cost estimates are also part of what this group does, and in particularly focused on code enforcement as well as fire, life, safety issues

and testing. The Construction Technology Group of which is our reporting arm, it's a development of project management systems that integrate scheduling and financial systems, construction project accounting, client and management reporting; so they're responsible for all of the reporting that we would provide the clients.

The IFMS Group which I mentioned before, again, is another one of those services available on the menu, it's not part of the basic services that we provide but it's kind of a unique thing that we've developed in terms of the long-term maintenance of a facility. It takes •• at the end of a job generally you end up with a pile of as-built drawings, a pile of manuals, a pile of a lot of stuff, and we have taken this and developed a system that puts this on to a web-based system so that anybody that's operating the building later on it has a work order system attached to it, it provides for the long-term maintenance so every piece of equipment is identified in terms of where you can buy spare parts and those types of things, all of the drawings are there, it helps for space planning on a forward bases; it's something we would be more than happy to talk to the County about.

As far as quality assurance goes, they review each design submission at 30 and 60% as well as 100% for code compliance and constructibility, making sure that issues and mistakes and problems that have been identified in earlier projects are not repeated here. They perform field inspections making sure that the contractors are building this in accordance with the plans and specifications, again, focused on code requirements. We've developed strong working relationships with major equipment manufacturers which allows us to prepurchase boilers, air conditioners, automatic temperature controlled generators, security systems as well as building management systems. This has allowed us some real strength in dealing with problems that surface by major manufacturers. We have a lot of •• because the Dormitory Authority is doing so much across the State, it has a lot of influence on major manufacturers. We've had manufacturers dealing directly with the problems, it's a huge benefit in terms of providing services to clients.

On the procurement side, all contracting and purchasing is managed by these units, we do everything in-house. Professional services contracts, we can receive assignments of client contracts, we evaluate qualifications for project architects and other design professionals, we assist with the negotiations, we write the contracts, we work out the details; all of that is something that the County would not have to worry about. Everything that we would be doing

on this project is managed •• in terms of public bidding is managed by our Construction Contracts Group, they would be responsible for advertising, they would be responsible for putting all of this out to bid, establishing the responsiveness and responsibility of low bidders; and again, we would be doing all of this pursuant to the Wicks Law.

As I mentioned earlier, we have a Purchasing and Interior Design Group that could assist the County in the management of certainly furniture and equipment in terms of the office spaces that will be housed within this facility. And of course, they spend on an average of about 60 to seven million dollars a year, 60 to 70 million a year buying furniture and equipment, anything from pencil sharpeners right up to micron microscopes.

We pride ourselves on our ability to ferret out problems that would lead to further problems on a project, because we don't award everything routinely to the low bidder. We have an extensive bid post•bid evaluation to make sure that we have established very thoroughly a contractor's ability to do this job, both from a financial perspective as well as a performance perspective. We have done extensive work in making sure that the proper qualifications are required in the bid document so that there's no question about the level of experience that a contractor brings to the table when we award them a contract. We use all of these different types of things to make sure that these contractors are on the up and up. New York State Department of Labor Debarment List, School Constructing Authority Debarment List as well as New York City Vendex and a variety of other tools that we use to establish the responsiveness and responsibility. Again, we confirm contractor's past successful experience, we want to know what they did and how successful with that they were, particularly for the size and complexity of the projects that we're talking about at that time, at that particular time. Financial stability, bonding capacity, compliance with both the client as well as DASNY's MWBE Programs, compliance with Local Preference Laws would be a concern that we would have in establishing the responsiveness.

Project cost control is one of the big problems that a lot of people run into, is that once the project is designed and put out to bid and the bids come in well over the budget, that's always a particular difficult problem. We reconcile construction cost estimates three times during the development of a project; we look at the end of the schematic phase, we look at the end of the design development phase and then at the end of construction document phase. We have two independent estimates, we require the architect to keep an eye on his cost and provide us with an estimate and we either use a construction manager or an independent cost consultant to

give us their assessment of the exact same drawings. And then before we move to the next phase of design, we stop the process, we make sure that the costs are properly reconciled, that everybody is in agreement if there are issues or differences of opinion, we work those all out before we allow the architect to move forward into the next phase. I don't want to suggest that we hang around for a month, this is all done concurrently so that we don't lose any time.

DASNY project managers oversee the reconciliation of estimates, we don't put anything out to bid unless we're comfortable that it can be constructed within the context of the budget. And then we also use value engineering as a process by which if there are areas that need to be addressed to get it back within budget, we take a look at those issues and we use that as a cost control mechanism.

Project reporting, we think it's important that clients are kept abreast of what's going on in their projects. We have a project status report, a sample of which is in the back of that presentation that will give you an indication of the kind of information that's available. Project participants have accessed the Primavera Expedition Software for all project correspondence. We've used Primavera or we're using and implementing Primavera Expedition as our management tool so that we have a good handle on correspondence, meeting minutes, payments, change orders; it is proving to be a very valuable tool. Detailed monthly reports include the project schedule status, the project cost projections, status of construction related and other project issues as well as project photos.

We also have a group that deals with the SEQRA process, State Environmental Quality Review Process. I think we have one of the best individuals in the State working for us that deals with those kinds of things and then can take it from the most simplistic Negative Declaration type of things into a full-scale EIS, Environmental Impact Statement, if need be. And with all of those issues as far as developing scope documents, direct preparation of the EIS, conduct public hearings, perform environmental liaison functions with technical specialists, the authority has a group that does all of that.

One of the issues that was raised was the ability to enter into project labor agreements, we do do that. We did do that out here on a project we worked with Suffolk County on a few years back which was the Suffolk County Community college, we did enter into a project labor agreement, it proved very successful to us. And in fact, at that point in time there was a strike

on the Island and it did not affect our job at all. That as part of the terms and conditions of the project labor agreement, labor could not strike that job, they worked right through, albeit it wasn't a long, drawn-out strike but it would have cost time.

Our board weighs in on these requirements. We have to make sure that there's a strong economic justification being considered, we arrange for a detailed evaluation of the project in terms of the potential cost it could save and as I had mentioned, it requires Authority Board of Director's approval; but yes, we do that and we have done that.

A proposed organizational structure, if we're fortunate enough to go forward with this project, showing the Dormitory Authority executive staff interfacing with all of the Suffolk County stakeholders, our DASNY project manager team at the site, you know, interfacing with the Department of Public Works for the County, making sure that everything is getting done the way the County wants it done and, of course, then we hang off the project manager who is managing the design consultants, the construction manager as well as all of the construction consultants and prime contracts, that's just a tentative organization chart the way we see it at this point.

The next steps, certainly the County is working on the financing plan. And from where we sit, if the Legislature deems it appropriate to work with the Dormitory Authority, then we would have to finalize a project manager agreement that clearly delineates all of the roles and responsibilities of all the parties.

And that concludes the presentation, and we would be happy to respond to any questions.

**CHAIRPERSON CARPENTER:**

Thank you very much. We have a list here. Legislator Lindsay, you may begin.

**LEG. LINDSAY:**

Thank you, Ladies and Gentlemen, for coming here this morning to give us a presentation. We really do appreciate it because we do have a very large project that we are going to go forward with and we do need help. Well, my first question, and really getting down to the bear bones, what does it cost, what do your services cost?

**MR. VAN VLECK:**

That's a good question. Our services are based on our assessment of what the staffing needs would be over the duration of the project and we have put together a tentative budget for that fee and •• you know, based on the numbers and the schedule that we're looking at, our services would be around two•and•a•half million dollars over the duration of the project.

**LEG. LINDSAY:**

Okay, to do the whole project. You realize that we're planning on building this in phases?

**MR. VAN VLECK:**

Well, we're talking about Phase I.

**LEG. LINDSAY:**

Two•and•a•half million dollars for Phase I.

**MR. VAN VLECK:**

A hundred and •• yeah, two•and•a•half for Phase I, right.

**LEG. LINDSAY:**

Okay. Does that include this service that you have in the selection or the preparation of the planning documents, the architect?

**MR. VAN VLECK:**

Yes, it does.

**LEG. LINDSAY:**

Okay. Maybe Paul could answer this; has the administration done an analysis of what it would cost us to do this in•house?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Yes, we have. And we recognize that the two•and•a•half percent fee would be ••

**LEG. LINDSAY:**

Two•and•a•half percent fee or two•and•a•half million dollars?



**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, the two•and•a•half percent calculation is how you get to the two•and•a•half million dollar fee.

**LEG. LINDSAY:**

Okay.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

When you factor •• when you compare that to the cost of what it would take for Public Works to bring on the additional staff to do the project, it would be an static analysis more expensive to do it this way. However, our recommendation is based on the synergies that would come out of the process and we believe that the synergies outweigh the static analysis, and the synergies are several fold. Number one, we believe that having a State agency dealing with a State agency, which is the Correction of Commissions, is going to have a significant impact on how the project works because we believe that that the principal of comedy between two State agencies as opposed to the County dealing with the state is going to make a huge difference in terms of how the project goes forward.

I think the second thing that we get a benefit from is that we're very, very, very comfortable with the SEQRA process that DASNY will be undertaking which we believe will be a much more efficient and streamlined process than the County may be able to undertake, and we believe that you save time and you make a major inroad in terms of moving the project forward as opposed to having the County have total control over that process.

And the third thing is extremely significant from this perspective. There's over \$300 million worth of projects in the pipeline, these are projects that you have already funded that the monies have been appropriated for. And based on the magnitude of this project, of this two hundred and, whatever it's going to be, ten or twenty million dollar project, which will be the second largest project in the history of Suffolk County second only to the Southwest Sewer District, we believe based on experience •• and I can personally attest to it because I began my career working on the Southwest Sewer District Project •• what happens is the project is so large that it becomes all•consuming. And what happens is you begin to get distracted or deflected from the other projects that are the routine, ordinary capital works projects that you think about as being important to the people of Suffolk County, the roads and the bridges and

the building and whatever. So we believe that the synergy of having the DASNY people manage, construct, design, do the entire project for the jail coupled with our ability now to free up Public Works to do the things it ordinarily does will outweigh the small cost differential that exists between bringing additional Public Works staff on and paying the two•and•a•half million dollar fee.

So we're looking at the total package, the total picture and that was the basis for our recommendation.

**LEG. LINDSAY:**

And I don't necessarily disagree with the recommendation. But the question that I wanted to know, we know their cost is two•and•a•half million dollars, what would be the raw cost to us if we had Public Works do it; did anybody do that analysis?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I believe the figure is 397,000 but let me just double check.

**LEG. LINDSAY:**

That seems pretty low, Paul, even the •• you know, because we'd have to hire people to do the SEQRA stuff, too, no?

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Maybe while you're looking for that number, take your time, I just had some other questions of maybe some hidden savings. In your presentation •• and I'm talking to DASNY now •• there was some reference to your buying power as a larger organization; is there some economy of scale, would we save some money if we bought the furniture through you guys and bought some of the big ticket items in the construction of a facility like this, do you share that savings with us?

**MR. VAN VLECK:**

Yeah. I mean, absolutely, we think there's a big benefit because we're buying an awful lot of

materials in the course, as I mentioned, anything from pencil sharpeners to, you know, huge pieces of equipment for hospitals. So •• and we purchase off the best State contracts.

**LEG. LINDSAY:**

So there could be some additional savings there as well.

**MR. VAN VLECK:**

Yes, we think so.

**LEG. LINDSAY:**

Okay.

**MS. GRIDLEY:**

If I could also add, too, there's been one or two instances since my tenure began where a piece of very important equipment was installed, wasn't working, we get in contact with the manager, you know, the sales force, bump it up the chain immediately to get it corrected, even though potentially the warranty hasn't kicked in or even if the warranty has expired, I think given the fact that we're such a large purchaser of many pieces of equipment that we tend to get, A, the attention immediately; B, get it fixed for free because it was probably a deficient piece of manufacturing on their part.

**LEG. LINDSAY:**

And of course ••

**MS. GRIDLEY:**

Where you get something out of the warranty, too.

**LEG. LINDSAY:**

•• that savings can't be quantified until we design what we're building.

**MS. GRIDLEY:**

Correct.

**MR. VAN VLECK:**

Right.

**LEG. LINDSAY:**

Okay.

**MS. GRIDLEY:**

Anything that comes in terms of savings or overage all goes back to the project, all goes back to the County other than what we suggested was our fee. And I guess we have a correction on the fee based on the actual construction, all•in project costs, it's 2.8, 2.89.

**LEG. LINDSAY:**

Two point eight for planning and first phase?

**MS. GRIDLEY:**

Soup•to•nuts for Phase I.

**LEG. LINDSAY:**

For Phase I.

**MS. GRIDLEY:**

Yeah. We tend to sometimes talk about construction costs versus project costs; project costs have some other soft pieces in it, so all•in.

**LEG. LINDSAY:**

Do you have that number, Paul?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Yeah, it was \$467,000 was the additional staff; I said 397 but it was 467,000.

**LEG. LINDSAY:**

So it's about two and a quarter million dollars more to hire DASNY.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Yeah, it's clearly ••

**LEG. LINDSAY:**

Okay.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

And we knew that going in, it was clear.

**LEG. LINDSAY:**

I'm not arguing that dispute and I'm not saying that it isn't worth it, I just want to know what the number was before we vote on a resolution. There were several, several references in your presentation to operating under the Wicks Law. If DASNY does a project for the state of New York, they have an automatic waiver of Wicks?

**MR. VAN VLECK:**

If we are doing work for ourselves ••

**LEG. LINDSAY:**

Right.

**MR. VAN VLECK:**

•• we can do it without the Wicks constraints.

**LEG. LINDSAY:**

Okay.

**MR. VAN VLECK:**

If we're working for a client who is obligated under their own statutes to do work pursuant to Wicks, we're obligated to do it pursuant to Wicks.

**LEG. LINDSAY:**

Would •• is it the intention of the Executive's Office to seek a waiver of Wicks for this project? And would our chances of getting it be enhanced by having DASNY on board?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

The way it works, we looked into the issue, the way it works is obviously you need an amendment to the State legislation, you can't do it by Executive action at the State level, but

yeah, DASNY would have the ability to carry more weight in terms of achieving that kind of a change.

**LEG. LINDSAY:**

Because there have been waivers granted on specific projects around the State.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

It has been done in the past, okay. We would not •• we have looked at it, we would not support that in the absence of the project labor agreement and obviously labor people being comfortable with project labor agreement covering their concerns. If there's going to be a concern then we'll stay with Wicks, but Wicks has the potential to drive the cost down dramatically.

**LEG. LINDSAY:**

But there's no intention at this point to seek a Wicks waiver?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Not at this point, no, because there hasn't been a resolution of the local issue.

**CHIEF DEPUTY COUNTY EXECUTIVE LAW:**

Legislator Lindsay, if I may?

**LEG. LINDSAY:**

Yes?

**CHIEF DEPUTY COUNTY EXECUTIVE LAW:**

We did have some discussions with Nassau County when they built their correctional facility a few years ago, they did that pursuant to a Federal Court Order. They did get an exemption from the Wicks Law and did think they saved about 20% over the cost of the construction had they not used the •• had they been forced to use the Wicks Law. And so we had discussions exploring that in terms of ways to bring the cost down.

**LEG. LINDSAY:**

You're talking to an old electrician, we could argue about the value of Wicks for years and never



come to a conclusion. I just want to know where you are going, that's all.

**CHIEF DEPUTY COUNTY EXECUTIVE LAW:**

Well, that was the extent of our discussions.

**LEG. LINDSAY:**

I just have a few more questions, Madam Chair ••

**CHAIRPERSON CARPENTER:**

That's fine.

**LEG. LINDSAY:**

•• and then I'll be happy to shut up. We put out an RFP last year for design of this and there was a competitive process that took place and there was a group that was the apparent winner of that process. And of course we're changing total direction now and we're turning over •• you know, if we approve this resolution we would be turning over the planning to DASNY which would include the selection of the design team; how would you guys deal with that?

**MR. VAN VLECK:**

Well, we have reviewed the County's selection process in the context of our own procurement guidelines and we're comfortable that we could just accept an assignment or a suggestion or a letter authorizing us to move ahead with entering into an agreement with that firm. Because we think that everything ••

**LEG. LINDSAY:**

You're ready to make that determination now? Really all I was looking for is that you would consider the work product that has already •• you know, a lot of hours have been put into it.

**MR. VAN VLECK:**

Yeah, we did and it certainly more than satisfies the needs of our procurement guidelines, so.

**LEG. LINDSAY:**

Okay.

**P.O. CARACAPPA:**

That's all I need to hear.

**CHAIRPERSON CARPENTER:**

Is the County Executive ready to agree with that?

**LEG. LINDSAY:**

Well, I'll ask; is the Executive's Office ready to go forward with that?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

We would only •• we would only sign that agreement and assign it over to the Dormitory Authority if the Dormitory Authority made an independent judgment that they wanted to go with that particular engineering firm. Our view is that if we enter into the construction management agreement with the Dormitory Authority, they become the managing entity, they make those decisions. So if they say they want to go with it, they're comfortable with the process, we'll assign it, we will not unilaterally impose it on them.

**LEG. LINDSAY:**

Okay, that's fair. And I was just looking for some commitment by the Dormitory Authority that you would consider the RFP process that went out already, just in the interest of saving time. I'd hate to start over from ground zero again, you know.

**MR. VAN VLECK:**

We agree.

**LEG. LINDSAY:**

Okay. That's all my questions; thank you, Madam Chair.

**CHAIRPERSON CARPENTER:**

Thank you very much, Legislator Lindsay. Legislator Crecca, who has disappeared. Okay, Legislator Nowick.

**LEG. NOWICK:**

Good morning, afternoon. Maybe I misunderstood, and my colleague and I were sitting here trying to figure out, the project for DASNY cost 2.2 •• how much money?

**MS. GRIDLEY:**

Eight.

**LEG. NOWICK:**

Two point eight million if we did it ••

**MS. GRIDLEY:**

Our fee.

**LEG. NOWICK:**

•• through DASNY. If we do it in•house, I must be mistaken.

**LEG. LOSQUADRO:**

(Inaudible).

**LEG. NOWICK:**

Is that the whole amount for the design, for everything, 400 and some•odd thousand dollars?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

No, no. The question that Legislator Lindsay had asked was additional staffing, whether there was analysis of additional staffing. The additional staffing analysis that Public Works gave us was, I thought it was 397,000, I was wrong ••

**LEG. NOWICK:**

That's just for additional staffing.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

•• it was \$467,000 of additional staffing that they would recommend to take on the project, additional staffing meaning creating additional positions, so that was roughly \$470,000.

**LEG. NOWICK:**

Could •• can the Department of Public Works even handle a project that big? I'm just ••

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I want to •• I should have said it earlier and I neglected to ••

**LEG. LOSQUADRO:**

Will you yield so I can make a point?

**LEG. NOWICK:**

I must yield to Legislator Losquadro.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

•• which is that this is no reflection on the Department of Public Works.

**LEG. NOWICK:**

No, I understand that.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

From our perspective they have done a great job, Charlie has been terrific, Dick's been terrific. The concern we've got, though, is what I said before which is that •• it's two things. One, a project of this magnitude, just by definition, human nature being what it is, it becomes all •consuming, it has the tendency to distract you from the other things that you're doing. So yes, number one, you clearly have to hire additional or create additional positions, they're recommending at least five; you know, put in the fudge factor for government, maybe it's going to be ten, but you're going to have to clearly have additional people. But more importantly, I think what happens is you start to lose the projects in the pipeline because what happens is this project is so big that based on my own experience with the Southwest Sewer District, you start to devote all of your resources to trying to solve that and the other projects start falling by the wayside.

**LEG. NOWICK:**

Yeah, I understand.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

So the answer is it's not that Public Works can't do the project, I'm sure, you know, with Charlie's background, experience and ••

**LEG. NOWICK:**

Oh no, I'm not talking about ability, I'm talking manpower.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Yeah, I think they can really do it. But the question is how many people do you have to bring on board, or more importantly, how many projects do you have to let fall by the wayside because you're going to put everything into that one big project. That's what I think happens and that's why I think it makes more sense, even if there's a slight fee on a static analysis basis cost to do it to go this way.

**LEG. LOSQUADRO:**

Mr. Sabatino, if I may; Legislator Nowick said she would yield for a moment. I understand your point completely and I don't think that's the direction Legislator Nowick was going at all, I think we're in agreement on that. In fact, not only would you have to bring the additional staff on, you would have to find that staff with the sufficient knowledge and experience, to bring on for an individual project of this nature I don't feel would be practical. And I think also what's lost in that number, I think what we were really looking for here was more of an overriding number, not only what the additional staff would cost but the design phase, what that total number would be vis•a•vis the \$2.8 million number.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Okay, that's a good point. I was really •• that's a very good point. I was really focusing on the additional people because that's the way the question was construed by me in the first instance. There are the other costs but I have to be honest with you, I have to defer to Fred.

**LEG. LINDSAY:**

It's hard.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I was focused on what Charlie had submitted to me in terms of the additional positions.

**LEG. LOSQUADRO:**

I understand.

**DEPUTY COUNTY EXECUTIVE POLLERT:**

Based on the analysis that was done by the Department of Public Works, the net differential between the Dormitory Authority versus the Suffolk County DPW would be, in our estimate,

slightly less than a million dollars on the project.

**LEG. LOSQUADRO:**

Thank you.

**LEG. NOWICK:**

And also, just another question; if Public Works hires these people to complete the project, when the project is finished •• and I don't know how many years that is •• then we get rid of all those people, we just let them all go, is that how that works?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, it takes an act of the Legislature to abolish the position, so it's under consideration, you have to be concerned about, you know, where you are, attrition, people leaving, whatever. But it would take an act of the Legislature to abolish the position.

**LEG. NOWICK:**

Okay. Thank you.

**CHAIRPERSON CARPENTER:**

Legislator Foley.

**LEG. FOLEY:**

Thank you, Madam Chair. And I want to thank DASNY for their presentation. I just have a couple of questions. Number one, I would like to highlight the fact that you do honor Local Preference Laws and that's important, it's made a difference here in the bi•county region, so I'm quite happy about that.

There's been some discussion about the Public Works Department. We in the County Legislature are very proud of our Public Works Department, it's one of the finest County departments we believe in the country. And why it's important that there would be least some interaction in this project with DPW, could you just amplify on how you would intend, looking at your organizational chart, how would the project manager be working with Public Works about this? Because it's not just an issue of construction, it's also going to be an issue afterwards of maintenance and of repairs to the building. We know it would be many years before there



needs to be any repairs made because of the quality construction, but tell us, walk us through, briefly if you will, how you interact with our Department of Public Works both in the construction phase and then how that would impact the maintenance of the building afterwards.

**MR. VAN VLECK:**

Well, I think that point is well taken. I think that our •• the way we would like to interact with the County's Department of Public Works is from the very beginning to the very end, because we understand that they have the best handle on what long•term maintenance issues they would be concerned about. We would want to make sure that their thoughts are reflected in what the architect is told and to make sure that the design reflects those needs that the County's people have identified over the years. So we wouldn't look at them just being involved in construction, we would look at this partnership as from the very beginning to the very end, right through the close•out of the project so they are constantly weighing in on and we're addressing the needs, as well as every meeting that we have in the reporting that we would be providing to them, so.

**LEG. FOLEY:**

Very good. And just Mr. Sabatino's comments about utilizing DASNY as a way then to have DPW focus on County projects, I can't agree more that that would be a fine approach to take and I know that the talents of DPW would be ready available when we move forward with the reconstruction of the Evans K. Griffing Building in Riverhead. So I want to thank you for freeing up the department for that very important project, and I mean that respectfully because it is •• and DASNY should be made aware of the fact that this particular municipality has a number of imperatives, if you will, of Capital Projects that now have •• we've been imposed upon by the State by a brother or sister organization of yours to bring •• on top of all of the things that are important for us to do here, very important projects that have been on the drawing board for years, now it's been imposed upon us this whole new project and many of us strongly believe that this imposition in no way, shape or form should deter us from handing those projects that we deem are important to the County that have been developed from the ground up as opposed from Albany down.

So certainly DASNY's talents can be of help to us, will allow us to do our other projects, we're going to be very keen on doing those. I've spoken with the community college, Madam Chair, which I know that you've been very involved in and the Field House is one of the finest buildings we have in the three campus setting of our community college. So thank you for your

time. Thank you.

**CHAIRPERSON CARPENTER:**

I just want to pick up on something that Legislator Foley said and you responded about, working with the Department of Public Works; would that also go to the Sheriff's Department?

**MR. VAN VLECK:**

Oh, absolutely.

**CHAIRPERSON CARPENTER:**

Okay, because I know that wasn't said. Legislator Crecca.

**LEG. CRECCA:**

Yeah, and I apologize, I was in the back but I did hear the questions and most of the questions that I had were asked already and answered. And I know that in reading the presentation that you put forward with us, it does say that there is compliance with Local Preference Laws, but I think I just want to hear it from DASNY directly that, you know, we do have Local Preference Laws and we do certainly like to see whatever work can go to local firms go there, I think that's universal desire of both the Legislature and the County Executive's Office and certainly incorporated in our laws. Is that something that ever provides difficulty for DASNY to comply with?

**MS. GRIDLEY:**

No, not at all. In fact, tomorrow I will be attending a groundbreaking for a new academic building for CUNY at \\_Megger Ever's\\_ College, that's a particular college set aside by legislation as, in essence, a preference arena for WMBE work. No, we have a regular program, we have an actual unit, it's called Opportunities Program, who typically goes out along with the construction people. We don't like to wait till a later date but we'll talk to various trades right from the beginning, try and stress the relationship we would like to have with the trades as well, you know, obviously going through the CM when they're picked on the subcontractor level. But no, we start right from the beginning once we have an idea what the project is, if we're given the go ahead, if you've got particular goals, local preference or WMBE, those are all set out ahead of time. As Doug I think mentioned earlier, in some regards that set out and

contract basis so when people bid they know exactly what the goal is and they're monitored whether they reach the goal. We actually on our Opportunity Programs, if people don't meet their goals there's a forfeiture in dollars which goes into a fund that helps people for training on an ongoing basis. So no, not a problem, we look forward to working with the locals to do that.

**LEG. CRECCA:**

Thank you for your comprehensive presentation this morning and for putting up with our questions. Legislator Carpenter, do you intend to have the department up to comment or no?

**CHAIRPERSON CARPENTER:**

Yes.

**LEG. CRECCA:**

Okay. Thanks, I'm done then.

**CHAIRPERSON CARPENTER:**

On the local preference, you had mentioned in your presentation your ability to secure good pricing as far as major equipment purchases because of your relationships with various suppliers, boilers, air•conditioners, generators, security systems and so forth. Would you look for Long Island based suppliers, are they part of your cadre of people that you deal with?

**MR. VAN VLECK:**

Off the top of my head, I don't know the answer to that question. But certainly we would in the context of local preference, we would certainly look here for the opportunities that we could utilize.

**CHAIRPERSON CARPENTER:**

Thank you. Legislator Bishop.

**LEG. BISHOP:**

Good afternoon. Thank you for coming and I appreciate the offer. In the name Dormitory Authority, State of New York, there are three elements; Dormitories I like, the other two I'm weary of, Authority and the State of New York, so I just want to understand the following. Who do you ••

**MS. GRIDLEY:**

We're very accountable, transparent and responsible.

**LEG. BISHOP:**

Who do you work for, ultimately?

**MS. GRIDLEY:**

The Board.

**LEG. BISHOP:**

The Board.

**MS. GRIDLEY:**

I am appointed by the Board, the Senior Managers here. We're actually appointed by the Board, everything is reported ••

**LEG. BISHOP:**

The Board serves at the pleasure of the Governor or they are term appointments?

**MS. GRIDLEY:**

In 1995, Governor Pataki put forward legislation that was enacted which actually merged two other authorities into the Dormitory Authority, the Medical Care Finance Facility Agency which was basically financing hospitals, nursing homes, health care providers; and the Facilities Development Corporation which was not a financing arm but a construction arm for the State which was primarily responsible for OMR, OMH, OASIS, etcetera. When the legislation was enacted, the Legislature added two new members to the Board, so we have five •• we have an eleven member board of which, let me see, Ex•Officio, we have the Division of the Budget, Department of Education, and added was the Commissioner of Health, it was added a representative of the Senate, a representative of the Assembly, the Chair is appointed by the Governor and there are five other members appointed independently and confirmed by the Senate.

**LEG. BISHOP:**

So it's fair to say••

**MS. GRIDLEY:**

Oh, I'm sorry, and the •• yes.

**LEG. BISHOP:**

The Comptroller, probably has a person, right?

**MS. GRIDLEY:**

Yes, the Comptroller sits on the Board, too, for many years.

**LEG. BISHOP:**

It's fair to say, though, that generally it's a Board that's dominated by the Executive Branch of the State of New York.

**MS. GRIDLEY:**

I suppose if you talk about the Ex•Officio's, yeah.

**LEG. BISHOP:**

Okay. My concern is this, and perhaps you can alleviate it. There's a lot of political turbulence in this project, unlike the Community College Project.

**MS. GRIDLEY:**

Uh•huh.

**LEG. BISHOP:**

And I could see a situation where the County's interest and wishes are a diversion from that of the State of New York's with regard to the future of this project; I'll give you an example that I see right up front. I know that the Legislature in the Omnibus, if I'm not mistaken, I don't have the •• I'm not on that committee, not by choice, but the ••

**CHAIRPERSON CARPENTER:**

The working group.

**LEG. BISHOP:**

The working group, whatever you call it. It's my information that you've taken the estimate of the total cost of the project that has been out there from the Executive Branch or from the consultant and shaved it by about 25 to 30%, and I think the theory might be •• you know, the goal of the theory might be laudable which is bring the project's overall cost down, but I don't know if the Corrections Commission, or whoever in New York State reviews plans, would feel that the project meets their standards if we do that. So there you would have a situation where the local government wants to keep the project costs down and the State might want something grander; how would you handle that, who would you answer to?

**MS. GRIDLEY:**

I'll turn it over to my experts here, but I think right from the beginning you are being asked to obviously authorize a resolution going forward to hire us. You have not actually taken any steps to authorize the full financing of the project and you're going to do that independent of us.

**LEG. BISHOP:**

Right.

**MS. GRIDLEY:**

So our board would not be involved in that. Our board would be involved in basically sanctioning the project labor agreement which under court mandate says we do a study, show the economic gains, we take it to our Board, they pass them without a problem on other projects.

With regard to Corrections, I would think the first kick•off, as Doug said, the next steps if, in fact, you choose to enter into a management agreement, it's to work with all the County stakeholders and to begin the programming. Involved in the programming, I would guess, would be ongoing discussions with the Department of Corrections, as we have done with the Norwich facility and other facilities certainly with Bronx. So I will let Doug handle the technical things, but I think you know right even before you do your authorization for financing exactly what this project is going to cost and everybody has arrived at a consensus of what needs to be within the facility. But I'll let Doug take it from here.



**LEG. BISHOP:**

I think that would be great but I don't think that's the case in this case. Maybe I'm just not understanding when you come in, but I believe •• •• do you come in before the design; you help design it, right?

**MR. VAN VLECK:**

Yes, that's accurate.

**LEG. BISHOP:**

So to nutshell my long•winded question, if, for example, hypothetically, the County wanted a \$175 million jail and the State Corrections had laid out a facility that would ultimately cost 215 million, what then?

**MR. VAN VLECK:**

Well ••

**LEG. FOLEY:**

We're the client.

**LEG. BISHOP:**

Are we the client, do we control it or you have to answer to the State, to your Board?

**MR. VAN VLECK:**

Well, the degree to which there are State mandates that dictate the requirements of a correctional facility, I think we'd be obligated to, you know, respond to those mandates, as would the county I would think at that point in time, if there are more subtle types of things and I think that that could be looked at. But I don't think the Dormitory Authority can be in a position of overriding State mandates or statutes that dictate the requirements of a correctional facility.

**LEG. BISHOP:**

I appreciate that honest answer.

**MS. GRIDLEY:**

Can I just make clear?

**LEG. BISHOP:**

I will alert my colleagues to that.

**MS. GRIDLEY:**

Can I make clear? Excuse me.

**CHAIRPERSON CARPENTER:**

Sure, go right ahead.

**MS. GRIDLEY:**

You are our client. We report to the Board but ••

**LEG. BISHOP:**

But you're the boss and your client disagrees; who are you going to answer to?

**CHAIRPERSON CARPENTER:**

Legislator Lindsay.

**LEG. LINDSAY:**

It's really a follow•up question on what Legislator Bishop was asking and it interests me greatly. We identify X dollars to do this project, through your value engineering, through your buying power, through maybe the waiver of Wicks, if Kevin is right we're going to save a ton of money, you're going to try and fit what we need into the amount of money that we have, right?

**LEG. BISHOP:**

Sure.

**MR. VAN VLECK:**

Yeah, that's correct.

**LEG. LINDSAY:**

Okay.

**MR. VAN VLECK:**

And the thing I think that Maryanne had mentioned early on in the discussions that gets back to the issues that we had at Westchester is that up front there has to be a clear definition of what the mandated requirements are and the degree to which they coincide or fit within the budget structure. We've looked preliminarily at the numbers and we think that, you know, based on our own analysis that the proposed budget seems very doable.

**LEG. LINDSAY:**

Okay.

**CHAIRPERSON CARPENTER:**

Thank you. Legislator O'Leary.

**CHAIRMAN O'LEARY:**

Good afternoon. I purposely waited I think to the end, I don't know if any •• perhaps there will be some follow•up after my questions, but there are some issues that I'm concerned with. And I certainly take note of Mr. Sabatino's comments about the synergies involved in the possible selection of DASNY to oversee this project and I understand the reasoning behind that. In your presentation you had indicated you're currently overseeing 464 projects, so we would be 465; my first question to you is where are we on the priority list of DASNY with respect to this project?

**MR. VAN VLECK:**

Well, you're right at the top of the priority list. We have a staff of people, we don't shortchange any of our clients. We have the staff available to focus immediately on this project and it's not like we're going to push you to the bottom of the pile. Suffolk County is an extremely important client from our perspective.

**CHAIRMAN O'LEARY:**

Okay. And in the event that this resolution is approved, the County will enter into an agreement with DASNY. Has it been your history or policy to incorporate into any contractual agreements, performance guarantees or adhering to timetables or time constraints?

**MR. VAN VLECK:**

Well, we certainly strive to do that. You mean in terms of actually putting into the agreement

sanctions and ••

**CHAIRMAN O'LEARY:**

Well, basically, to be rather blunt, holding your feet to the fire that the project is done in a timely manner and the performance guarantees of those who are retained to perform the services are adhered to.

**MR. VAN VLECK:**

Well, that's perfectly blunt. I think we certainly are committed to everything that you say and we take schedules and budgets very seriously. As mentioned early on is that in the area of construction there are innumerable things that can take place. I think the biggest thing that we're concerned about entering into this project is making sure that the program and the budget coincide, and then I think we're pretty comfortable that we can manage that within the constraints of the time available to do it as well as the budget. Is there a guarantee that comes with it? We can't guarantee the future because we don't know what would happen, but certainly you have our commitment that we would strive to do everything in our power to make sure that the project is done within the budget and within the schedule.

**CHAIRMAN O'LEARY:**

Well, sometimes in agreements of this sort there are performance guarantees written into it and if you don't adhere to them or they're not adhered to there's a penalty attached to it, perhaps a little bit of that \$2.8 million fee that you're going to be charging the County to oversee this project; that's my point. I mean, this is a project that's going to be going forward whether it's done by DASNY or DPW. It's clear today that the cost will be increased as a result of utilization of DASNY's services and that should be a concern. But as I said before, I took note of the fact of Mr. Sabatino's comments of freeing up DPW to do other projects on a much lesser scale which doesn't diminish the effectiveness, in my opinion, of our DPW. And I think after we're finished with the questioning here with DASNY, I'm anxious to get to the Commissioner of DPW to come up here to respond to some of the questions I might have.

But be it as it may, Ma'am, you had mentioned during the course, not of the presentation but some of the questions that were posed, that the financing of this project will be done by the County and not by DASNY? See, I always thought •• I was under the impression that by utilizing DASNY there were some benefits to the financial arrangements or the agreements of

services that would be. So, I mean, there's no advantage to using DASNY for purposes of bonding this project or entering into financial agreements of funding, etcetera?

**MS. GRIDLEY:**

I'm not exactly aware where you sit, you know, with your own cap.

I know with Westchester County they were concerned about their cap so they went to DASNY to do the financing and they did it on a lease basis. If you do GO, frankly I would assume it might be a little cheaper to do it on your own than to come to DASNY.

**CHAIRMAN O'LEARY:**

Yeah.

**MS. GRIDLEY:**

To be candid, the State assesses us a bond issuance charge on people who come to DASNY.

**CHAIRMAN O'LEARY:**

Well, I just wanted that clarified that ••

**MS. GRIDLEY:**

You get the same tax exempt benefit if you do it on your own.

**CHAIRMAN O'LEARY:**

I just wanted to clarify that the County has every intention of funding and financing this particular project and DASNY will not be doing that; correct?

**MS. GRIDLEY:**

As far as I'm aware of, yes.

**CHAIRMAN O'LEARY:**

Okay. There's been substantial work that has been already performed as a result of RFP's awarded with respect to initial planning and preliminary architectural design; will DASNY honor those contracts currently in place? I know you've indicated that you would adhere to the Local Preference Law and that's certainly a priority of mine that that, in fact, does occur. But for the work that has been done and done by various firms with respect to the these projects, if there's a contract in place with respect to that work that's been performed will DASNY honor those

contracts?

**MS. GRIDLEY:**

I believe we have to enter in directly with them, however, we have looked at the process that the County used with this particular group, it fits our guidelines, we could take that contract, there's no prohibition. I think the County has already stated that they don't want to tell us what to do, but our own independent review says what they have done to date, they've spent a lot of time, it's been good work and it certainly fits within our guidelines. So there is no reason for us not to take it over.

**CHAIRPERSON CARPENTER:**

Can I just interject for a second?

**CHAIRMAN O'LEARY:**

Certainly; exercising the right as the co•chair?

**CHAIRPERSON CARPENTER:**

Co•chair, right. Thank you. To that point, Mr. Sabatino said that the County would not impose or the County Executive's Office would not impose the contract on you. So that to the process then, once and if the resolution is passed to have DASNY oversee the project, then DASNY would be the one signing the contracts with the various entities; is that how it works?

**MR. VAN VLECK:**

Correct.

**CHAIRPERSON CARPENTER:**

Okay. Thank you.

**CHAIRMAN O'LEARY:**

There's been mention of the Wicks Law during the presentation as well as some of the questions that were posed by my colleagues. I would like you to explain, if you will, to the committee, to the joint committee, the relevancy and the impact of either adhering to or waiving the Wicks Law if DASNY is overseeing a project. Explain the Wicks Law and what is the

relevancy and the impact of either adhering to the Wicks Law or waiving the Wicks Law.

**MR. VAN VLECK:**

The Wicks Law has been around for probably over 50 years and it hasn't changed much in the context of when it was first entered into in terms of law. It requires that any project that has a value, a total value of more than \$50,000 has to be done pursuant to this law that requires separate bids for the major trades; the general construction trade, a plumbing trade, an electrical trade and an HVAC or mechanical trade. It eliminates •• if a project is done in a traditional single prime where the general contractor has responsibility for all of those individual subcontractor trades including mechanical, plumbing and electrical, there is a requirement in his contract for total coordination. If •• absent that ability to do that and the project needs to be constructed pursuant to Wicks, that coordination responsibility between the trades falls to the owner. The owner is responsible now to make sure that the job is properly coordinated, properly scheduled, that the trades are held between the four trades that we spoke about •• the GC, the general contracting, mechanical, electrical and plumbing •• all that's required for a completely coordinated project is done and that becomes a responsibility of the owner. And as a result of that, there's an added cost associated with that, depending on what study you're looking at it could be as much as 20% and there has been several studies that have been performed over the years.

We have been supportive •• the one thing that you should know is that we have done many, many, many Wicks projects, so we are intimately familiar with Wicks, we know how it works and we have done •• we have been very successful in making it work, but certainly there's nothing that you could argue that there's not an extra cost associated with it.

**CHAIRMAN O'LEARY:**

Okay. And my final question has to do with the selection of the contractors or engineers or architects who will be performing the services. Do you have what we have here in Suffolk County a process of RFP's, Requests For Proposals that are submitted, or do have an existing list that you utilize? Who makes the selection and how does that process come to fruition as to when you make a determination, who's going to be performing the various services that will be needed for this project?

**MR. VAN VLECK:**

Well, on the consulting side, we do have procurement guidelines that dictate how we select



consultants, but the Authority's approach is to include in that selection process each of our clients; in this particular case, we would expect that Suffolk County would participate with us in the selection process. A project of this magnitude, we would certainly be advertising in the contract reporter, you know, seeking expressions of interest, we would respond to that list of people interested in a particular project by culling that long list down to a short list, again, working with County representatives to make sure that their input is provided. The selected short list firms, after that short list is produced, would be receiving an actual RFP, presentations would be conducted, the committee, which is formed in the very beginning, would sit in those presentations. A matrix of evaluation criteria is developed based on the issues that the County wants addressed as well as our own procurement guidelines. And at the end of the day, we work towards a consensus-building approach of picking and choosing consultants.

On the construction side, everything that we would do would be done pursuant to the public bidding requirements.

**CHAIRMAN O'LEARY:**

And the projects that are currently under way with respect to the DASNY oversight, the 464, are most of the services being performed by firms or contractors within the confines of New York State boundaries? I mean, you don't go out of state, do you, for purposes of obtaining bids for services?

**MR. VAN VLECK:**

No, we don't. We don't exclude them but ••

**MS. GRIDLEY:**

(Inaudible).

**MR. VAN VLECK:**

•• predominantly New York State.

**CHAIRMAN O'LEARY:**

All right. Well, one of the priorities that we have, at least I do as Chairman of Public Works, is the adherence to the Local Preference Law.

**MR. VAN VLECK:**

Uh•huh.

**CHAIRMAN O'LEARY:**

And certainly we'll be watching that, or I will be watching that very closely as to just who is being solicited for purposes of performing the services that are necessary for this project.

**MR. VAN VLECK:**

We understand. But we would certainly market heavily to Suffolk County in terms of packaging of bids and we would certainly make sure that they're well aware that there's a major project going on, that we would welcome their bidding.

**CHAIRMAN O'LEARY:**

Thank you.

**CHAIRPERSON CARPENTER:**

Legislator Montano.

**LEG. MONTANO:**

Yes, thank you. Good afternoon. Thank you for the presentation, very informative. I do have one question, though. You just made reference with respect to the RFP process and you indicated that the committee to be formed in the very beginning; I just want to get an idea of how that committee is formed and who would sit on that committee.

**MR. VAN VLECK:**

Well, we would have a committee that usually consists of anywhere from six to eight people, representatives from the client, representatives from our •• yeah, two representatives. We have representatives from our Procurement Group, our Procurement Groups is responsible for overseeing the entire process. We have representatives from our Project Management Group because they will be responsible for ultimately overseeing the design and construction of the project, as well as our own quality assurance people that can weigh in and make sure that their issues with respect to quality are addressed.

**LEG. MONTANO:**

So the committee •• if I understand this correctly, the committee would consist of six to eight people, but the other individuals or groups that you mentioned would have input into those six

or eight people and the six or eight people would make the ultimate decision; is that the way?

**MR. VAN VLECK:**

That's correct.

**LEG. MONTANO:**

Okay. Thank you very much.

**CHAIRPERSON CARPENTER:**

Legislator Foley.

**LEG. FOLEY:**

Thank you, Madam Chair. Just going back for a moment in your description of past facilities, facilities that you've worked on in the past, you mentioned Office of Mental Hygiene Forensic Facilities, renovation projects at Mid Hudson Central New York. Were those for maximum security for those who have been diagnosed with mental illness, or what kind of facilities were those?

**MR. VAN VLECK:**

Yeah, they are tantamount to maximum security facilities. They are the worst of the worst in terms of both criminal as well as mental problems.

**LEG. FOLEY:**

Okay. Not that we have anything close to that, but as you know and one of the issues that we've discussed both in the Public Works Committee and also as the former Chair of it who is still on the Health Committee, there's a large number of those who are in the present jail population who have been diagnosed with mental illness.

**MR. VAN VLECK:**

Uh•huh.

**LEG. FOLEY:**

And one of the sad ironies to the deinstitutionalization that occurred some time ago is that

many of them are being reinstitutionalized, and the difference is now it's in a whole different setting, it's in a much less supportive setting because it's not •• it's no longer in a psychiatric hospital but in a jail. And plus, whereas before it was a hundred percent on the State's dime, it's totally on the County dime. So one of the things that I •• if you can either answer it today or at least give some preliminary response to, is how would you go about, or do you go about constructing portions of a facility different for those who have been diagnosed with mental illness?

Now again, I wouldn't know whether or not these are severely mentally ill folks who are in the maximum facility we have in Riverhead because it's jail as opposed to a prison, but how would you go about addressing that particular part of the jail population which is, from what I've been told, rather substantial in our jail.

**MR. VAN VLECK:**

Well, the key to that is clearly in the early phases of the project defining what the programmatic needs are going to be. The one thing if we didn't stress or mention is that the Dormitory Authority is not going to stand in place of the client in terms of defining what their needs are. I think it's important, if that's going to be a requirement, that that's clearly defined up front the nature of the types of confinement that would be required to house that part of the population needs to be identified, so we would certainly encourage that be identified early on so that the architects and the consultants can take that into consideration and come up with schemes and approaches that address that particular need.

**LEG. FOLEY:**

Thank you, Madam Chair. Thank you.

**CHAIRPERSON CARPENTER:**

I have a couple of follow•up questions. You talked in your presentation about the Bronx County Court, \$380 million project; has that been completed?

**MR. VAN VLECK:**

No, it's not; we expect to complete that at the end of 2005.

**CHAIRPERSON CARPENTER:**

What was the projected cost of the project when you started it?

**MR. VAN VLECK:**

Much less than 380 million, but really there is a lot of city•type costs that have gone into that project. Again, it was a project that we took over from the Department of Design and Construction for the City of New York in its early phases of design. It was grossly under budgeted to start with, I think the city recognized that, they asked us to become involved and as a result of that we worked closely with them in finalizing the design and those costs have been reflected in the most current budget, together with a variety of issues that in terms of what I described to you before about making sure that we get the right caliber of contractor. There were several instances early on in the project where the low bids and we went down I think as low as the sixth low bidder in a couple of instances because we were not interested in dealing with the contractors that originally bid; in fact, we bid some of the foundation work a couple of times. But yes, that project has grown as far as budget goes but it had a lot to do, again, with what I described before, properly defining the programmatic needs and making sure that those needs coincide with the available funding.

**CHAIRPERSON CARPENTER:**

I certainly can understand that. You said it's due to be completed in 2005?

**MR. VAN VLECK:**

Correct.

**CHAIRPERSON CARPENTER:**

And when you got involved in the project, albeit with others that had started it, when did you project the project to be completed?

**MR. VAN VLECK:**

We expected that the project would be done •• I don't have the exact date off the top of my head, but considerably ahead of next year in 2005. There were issues that confronted the project having to do with existing facilities, acquisition of property by the City of New York, relocating people that were in those facilities. There was perhaps overly optimistic estimates of how long that would take that were projected out early on, all of which led to an extension of the schedule. We couldn't start the building until those people that were living on the site that had been selected in the Bronx were relocated, and then we had to demolish it.

**CHAIRPERSON CARPENTER:**

Clearly that would not be an issue with a project like this.

**MR. VAN VLECK:**

Correct.

**CHAIRPERSON CARPENTER:**

Board of Directors approval necessary for the project labor agreements, and you stated that these are done routinely, but does it add to the time involved and what is the time involved; does the board meet on a regular basis or ••

**MS. GRIDLEY:**

I wouldn't say it's routine to do PLA's, but we have done some in the past. The board meets monthly except for the month of August, so we would start working with the stakeholders, obviously, the County in terms of what needs to be done. We would want to start the process when we had a fairly good handle of the programming and the actual dollar cost to start a consultant review which is necessary to determine the economic benefits of having a PLA, that's what's required under actually a court case that DASNY lost with Roswell years ago. And then once we have that consultant report, which we obviously would share with everybody, we would take it to our board and have them authorize the inception of the project labor agreement for this particular project.

**CHAIRPERSON CARPENTER:**

Much reference has been ••

**MS. GRIDLEY:**

I don't know if we have a regular •• excuse me. Do we have a regular time frame that normally ••

**MR. VAN VLECK:**

No.

**MS. GRIDLEY:**

It can be fast or slow depending upon where we are in the process, but I think the key is

actually getting the programming done and the actual estimates of cost.

**LEG. LINDSAY:**

You have plenty of time.

**CHAIRPERSON CARPENTER:**

Much reference has been made to the work that has been done to date. The fact that the RFP was awarded in September, although nothing was ever signed, they did go forward and do some work, I think a consultant has been hired. If we go forward with this resolution to approve DASNY being involved in this project, when do you see the necessary paperwork being signed to solidify the County's commitment to this project with the Commission of Corrections? And that's a concern for me as the Chair of Public Safety, the fact that we have been under the gun, so to speak, that we have temporary waivers for housing prisoners and that we have not had a history in the past of moving forward and demonstrating a commitment to the project. And certainly I would hope and assume that if we were to pass this resolution and DASNY was brought on, it would demonstrate that to the Commission of Corrections, but certainly signing the agreement with •• you know, codifying the RFP that was awarded back in September, I mean, many, many months have passed since then and quite frankly, I don't know why the previous administration didn't sign the documents nor why wasn't it done to date; so if you could respond to that I would appreciate it.

**MR. CORRIGAN:**

I think there's going to be a few things that are going to need to work along a parallel track. Obviously we'll need to come to an agreement, you know, you'll authorize that work with your resolution and then we'll be authorizing that agreement with your resolution, I don't know what the structure would be here. But we need to have a project management agreement with you before we can sign any documents with somebody else, but they can certainly be working along a parallel track.

I mean, to date we have reviewed the procurement and we've gotten comfortable with the procurement and we've met with the consultants but we haven't entered into any of the document work, obviously, with those consultants. And so there's going to be two document tracks here, one with the County with us that will obviously strengthen what your •• the appearance of your commitment with Commission of Correction as well as us moving along a



parallel track to get a design professional on it.

**MS. GRIDLEY:**

Additionally ••

**CHAIRPERSON CARPENTER:**

You might want to use the microphone.

**MS. GRIDLEY:**

Additionally, too, after we get to the point of signing our agreement, mutual agreement, we would want to start putting you up on a project reporting which would necessitate making sure in terms of how we're going to do the processing of the dollars, and I believe you have some authorized funding already available.

**CHAIRPERSON CARPENTER:**

For planning.

**MS. GRIDLEY:**

So in order for us to enter into any contracts, we have to have sufficient authorized funding, in essence, to enter into the contract. So we would set it up on our new integrated Expedition model, full client reporting both on dollars and construction progress as it went. And Mike, my old Budget Director here, would attest to the fact that we would probably want to enter into some ancillary pieces of documentation with the County, at least in terms of transfer of money and stuff before we enter into the actual contract with an architect.

**CHAIRPERSON CARPENTER:**

When you refer to the IFMS program, this web•based program that allows the project to be tracked and helps in future years with maintenance and everything, you said it's something that you could talk to the County about; does that indicate that this would be something additional or would this be part of?

**MR. VAN VLECK:**

No, it is something additional, that's not something that gets factored into our normal fee, and we would certainly be happy to sit down and walk the County through exactly what that includes. It generally involves their time as well as the purchase of some additional

equipment and computers ••

**CHAIRPERSON CARPENTER:**

I'm sorry, I can't hear you, there's a little bit of chatter in the background.

**MR. VAN VLECK:**

It would involve the time of the IFMIS group together with the cost associated with the purchasing of some hardware and software computers because all of this would be mounted and put on this computer, so.

**CHAIRPERSON CARPENTER:**

Can you give me a ballpark on what you're talking about, cost?

**MR. VAN VLECK:**

Again, I don't know off the top of my head; it's not a horrendous number but we can get back to you.

**CHAIRPERSON CARPENTER:**

But I'd like that information because it kind of was portrayed as, you know, this is a benefit, and especially if someone is going to be overseeing this project and then at the completion of it handing, you know, figuratively handing us the keys and walking away ••

**MR. VAN VLECK:**

Right.

**CHAIRPERSON CARPENTER:**

•• you know, there certainly is an appeal to having all of this, you know, web•based information for the future, ongoing maintenance to the building.

**MR. VAN VLECK:**

Right, we'll be back to you with ••

**CHAIRMAN O'LEARY:**

(Inaudible).

**CHAIRPERSON CARPENTER:**

No, I asked that question, it's not, that was why I asked it. I'm sorry.

**MR. VAN VLECK:**

No, we'll be back to you with a specific number.

**CHAIRPERSON CARPENTER:**

Great. Thank you very much.

Are there any other questions? I thank you very much, really, for your patience in answering all our questions and coming down here. I guess we'll bring up Public Works. Is there anything else you wanted to add?

**MS. GRIDLEY:**

No. We're very glad to be here and we hope we enter into a long•term •• I mean short•term in the sense of building a building, but the long•term in the sense of getting a building built •• relationship. Thank you.

**CHAIRPERSON CARPENTER:**

Okay. Thank you very much.

**LEG. MONTANO:**

Do we vote today? .

**CHAIRPERSON CARPENTER:**

No, this is not on the agenda to be voted on.

**CHAIRMAN O'LEARY:**

It's in Public Works.

**CHAIRPERSON CARPENTER:**

It's in Public Works, it was tabled in Public Works. I guess, you know, if the resolution as it appears is something that we wanted to move forward with, we could discharge it or get a CN on Tuesday, or if, you know, perhaps there are some changes.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I thought it was •• is it in Public Safety?

**CHAIRPERSON CARPENTER:**

No, it's in Public Works.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

It's back to Public Works? Okay.

**CHAIRPERSON CARPENTER:**

Yeah.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

But originally it was Public Works and then it was Public Safety?

**CHAIRPERSON CARPENTER:**

Yeah.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Okay.

**CHAIRPERSON CARPENTER:**

It was Public Safety and then Public works.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Okay. So the thing is •• is there enough people here today to have a quorum in Public Works to vote it out?

**CHAIRPERSON CARPENTER:**

I don't believe so.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

There's no need for a CN then, it would just take a discharge motion.

**CHAIRPERSON CARPENTER:**

Well, that's if there was agreement that we wanted to move forward with the resolution as it was.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Right.

**CHAIRPERSON CARPENTER:**

There may be some language that some people on the committee may feel want to be added.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

That would require a CN then.

**CHAIRPERSON CARPENTER:**

Exactly.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

So if anybody is going to make suggestions for changes, will we get that by Tuesday?

**CHAIRMAN O'LEARY:**

Five PM on Friday.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

No, you can fax it ••

**CHAIRPERSON CARPENTER:**

By 5 PM on Friday. No, with a CN it can be up to the minute really.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Actually you can do it up to midnight because we work after five.

**CHAIRPERSON CARPENTER:**

Right; so do we. Okay, thank you very much, appreciate it. I would just ask that the members of the department come forward; Charlie, if you could. Well, we heard in the committee the

other day that our Counsel was here on Sunday and Monday.

**LEG. FOLEY:**

Very good.

**MS. KNAPP:**

Saturday.

**CHAIRPERSON CARPENTER:**

Saturday and Monday, and they were sunny days. I'm going to defer to the Chairman of Public Works, Legislator O'Leary.

**CHAIRMAN O'LEARY:**

Good afternoon, Commissioner Bartha. I for one would like to hear your comments regarding the presentation made by DASNY as well as the •• and I use this word judiciously •• the tempered opinion of you as the Commissioner of DPW with respect to the proposals and the initiatives puts forth by DASNY with respect to this project.

**COMMISSIONER BARTHA:**

Certainly. First I would like to thank both the County Exec's representatives as well as the Legislature for saying such kind words about the department and the department's ability.

Certainly DASNY is a larger agency than us and has handled larger jobs, but I would offer that we have extensive experience also including in secure facilities, court projects, precincts, we've done work in the jail. A lot of procedures that they outlined are standard procedures with our department. It's in the two areas alone, the two divisions that would be involved in this project, the Buildings and Design and the Facilities Division and the front office. We have a total of 15 professionals, professional engineers and architects that would be involved and accountable. With respect to project labor agreements, I would say that Suffolk County is a leader in New York State with project labor agreements and have never had one overturned.

It's really •• it certainly is an issue with respect to our ability to handle the Capital Program that's out there now. We have a particularly ambitious program in the Buildings division. As

you know, we have a Police precinct under way, we have the Quartermaster building under way, we shortly hope to have a residential Juvenile Detention Facility under way and a very large court project in Riverhead which we have brought the court project and virtually all of our projects in at the budget. So we do have a concern about keeping our projects on schedule. The County Exec's Office related the cost information which includes the overhead associated with the personnel necessary to keep the projects on schedule, so that basically •• to do the jail as well. So basically what you have is you're comparing apples with apples, I would say, in the figures that were related to you.

**CHAIRMAN O'LEARY:**

Well, the number that I think Paul made mention of was 397,000?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I made a mistake, it was really •• I said 397, it was really 467.

**CHAIRMAN O'LEARY:**

Four sixty•seven, and that would be for •• that would be for hiring additional personnel to be included in the project, is that what this would entail?

**COMMISSIONER BARTHA:**

Yes, that would be for hiring additional personnel in those areas and that includes 180% overhead factor for office and benefits and all that kind of cost. Those personnel initially •• they wouldn't necessarily be the people we would assign to the jail project; the jail project being such a large and complex project, we would assign one of more experienced engineers on staff or architects on staff, those people would be assigned to some of the other projects that are ongoing. I mean, our staffing plan would involve during the design phase one person, one architect full•time to oversee the work of a consultant and there would be an electrical and a mechanical engineer that would be between 25% or less time they would spend on the project overseeing the work of the design consultant. And during the construction phase we would anticipate four people assigned to the project full•time, and similar to DASNY, we would use a project manager, provide inspection staff, specialized inspection staff. That's about it.

**CHAIRMAN O'LEARY:**

All right. Would you •• Charlie, would you care to comment on Mr. Sabatino's assertion that the reason why •• one of the reasons why the Executive Branch would like to utilize the services of



DASNY is to free up DPW for other projects within the County? I mean, I understand your particular position with respect to responding to this, but is it your opinion that it would accomplish just that, that it would allow DPW to focus on other projects certainly much smaller than this anticipated project, the jail project. But what's basically your feeling about that, the assertion that utilization of DASNY will allow DPW, Suffolk County DPW to focus on other projects?

**COMMISSIONER BARTHA:**

Well, if we were to take on the jail we certainly would need additional staff in order to be able to handle the entire program. And without additional staff, we would not be able to handle all of the more quality•of•life type projects that we have in the Capital Program and it certainly would divert attention.

**CHAIRMAN O'LEARY:**

All right. And the bottom line as I understand it here with respect to cost impact, the additional staff, four and change, 400 and somewhat thousand dollars?

**COMMISSIONER BARTHA:**

That's correct.

**CHAIRMAN O'LEARY:**

And the utilization of DASNY services will be some \$2.8 million?

**COMMISSIONER BARTHA:**

That's correct.

**CHAIRMAN O'LEARY:**

Okay, thank you.

**CHAIRPERSON CARPENTER:**

Charlie, if I could. Actually the statement that was made, I'm not sure who made it, but that if the Department of Public Works was to take this project on, the rest of the projects would fall by the wayside; do you feel that is an accurate assessment of what would happen?

**COMMISSIONER BARTHA:**

Without having the additional staff that we've identified, the ••

**CHAIRPERSON CARPENTER:**

And that is the \$467,000.

**COMMISSIONER BARTHA:**

That's correct.

**CHAIRPERSON CARPENTER:**

Okay.

**COMMISSIONER BARTHA:**

Some of the projects certainly would fall by the wayside.

**CHAIRPERSON CARPENTER:**

Would this \$467,000 represent people being brought on as employees or would they be hired contractually so that when the term of the project was done there would be no long-term commitment?

**COMMISSIONER BARTHA:**

No, they would be employees and two of them would not be required until the end of next year shortly before construction would start. And we have considerable attrition in the department, particularly •• well, I don't want to say particularly in the Buildings Division, but we are in a stage now where we have some people that are retiring. So this concern has been expressed in the past about hiring staff and then losing, having to lay people off at the end of a project; I would offer that with normal attrition that would pretty much come into line.

**CHAIRPERSON CARPENTER:**

Do you feel that the pool of talent is out there for you to hire these people, given the fact that you have, you know, been losing people through attrition?

**COMMISSIONER BARTHA:**

The type of positions we're talking about here that we would be looking to hire are an Architect, an Assistant Clerk, a couple of Assistant Clerks•of•the•Works and a Clerk of the Works; those positions we've been more successful in filling than engineering positions, so I do anticipate that

we would be able to fill them.

**CHAIRPERSON CARPENTER:**

Okay. Are there any other questions for the department?

**LEG. LINDSAY:**

Just a comment.

**CHAIRPERSON CARPENTER:**

Legislator Lindsay.

**LEG. LINDSAY:**

I guess it's really more in a comment but I'd like to get a reaction. There's no doubt about it, you know, dollars and cents, it's more expensive for us to bring in DASNY. What I like about the proposal is we're committed to management of this project and not subject to •• I mean, we could go ahead with Public Works and say, "We'll give you the additional people"; a year from now or two years from now we could have a budget crunch and not fill those positions and then we're really in a bind. If we go forward with a contract with a construction manager, we're committed to pay the fees to the construction manager and they're committed to manage the project, and it isn't subject to whims of SCIN forms or appropriations or budgets or anything else. That's really just a comment.

**COMMISSIONER BARTHA:**

I would agree with that analysis.

**CHAIRPERSON CARPENTER:**

Any other questions? Okay, thank you very much.

**LEG. FOLEY:**

Thank you, Charlie.

**CHAIRPERSON CARPENTER:**

And any other comments or questions for the County Executive's people while they're here?

Legislator Foley.

**LEG. FOLEY:**

Just a quick question. The resolution that's in committee, Paul, you would like to see that approved this month, you would like to see it approved in June? No later than ••

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

The sooner the better. We believe that with •• there's a new deadline for the Sheriff, I think, of June 7th to reapply to the State with regard to the variances, so. Also, the Capital Budget vote is coming up on the same day in terms of committing dollars and cents, so from the standpoint of trying to get the State on board with the variances ••

**LEG. FOLEY:**

That's actually the following day.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

•• I think a simultaneous vote on this plus whatever is going to happen with the Capital Budget process would be advantageous for everybody in the process. So yes, the answer is I would like to see it move forward on the 8th.

**LEG. FOLEY:**

On the 8th.

**LEG. LINDSAY:**

If I may, Madam Chairwoman?

**CHAIRPERSON CARPENTER:**

Certainly.

**LEG. LINDSAY:**

I agree. I think every decision we make on the jail is being viewed by State Corrections with a particular skewed eye and I do not want to send any kind of wrong signals to the State at this time.

**CHAIRPERSON CARPENTER:**

Point well taken, thank you. Thank you so much, I really appreciate, as I said earlier, helping

pull this together. The Sheriff's Department has requested that they come up, briefly because we have another committee that's supposed to be starting at one o'clock.

**UNDERSHERIFF DENZLER:**

Thank you. The position of the Sheriff is it's really irrelevant as to who builds the new jail, just that it be done.

**CHAIRPERSON CARPENTER:**

We kind of knew that.

**UNDERSHERIFF DENZLER:**

And that the concerns of safety, security be addressed and not overlooked in any manner, shape or form, and also, the concerns of operational efficiencies in the design phase.

Just to answer a question that you had raised earlier as to not knowing why the outgoing administration hadn't moved forward with the RFP which had been awarded and why the current administration also has not. Just to clarify that, there was an opinion or a concern raised by

Mr. Bortzfield in the County Executive's Budget Review Office as to the type of contract that was going to be awarded because it was not a fixed price but it was based on a percentage as to whether or not that was proper; that's what stopped it originally from being signed in the latter part of last year. The County Attorney did issue an opinion then in the early part of this year that it was proper and could be signed, but the current administration also decided not to sign it. What I heard today was that it's of no concern to them and they would not want to impose somebody and I heard DASNY sit here and say that they've reviewed our process and it looks like the vendor is acceptable to them.

The reason I point this out is we have this sword hanging over our head, as you've all pointed out, relative to the State Commission. We have already reapplied for the extension of the variances; they're looking very closely at this. We feel if they do not see something with an architect in place by the time these variances come up I guess in •• they've given us a date in July because that's what they know the process is here in Suffolk County.

**CHAIRPERSON CARPENTER:**

Uh•huh.

**UNDERSHERIFF DENZLER:**

If they don't see something firm, I think their patience has been worn out. So if it were possible that that existing contract be signed and then assigned over to DASNY if you choose to go with DASNY, they would see that as us moving forward. And that's the only concern I have, that if we lose the balance of these variances, the \$400,000 a month that we are currently spending to house inmates outside is going to exceed \$2 million a month.

**CHAIRPERSON CARPENTER:**

Undersheriff Denzler, I appreciate you coming forward, and I'm glad that you've said what you said. Some of the figures that I saw the numbers were closer to \$500,000, but that's not important at this point.

**UNDERSHERIFF DENZLER:**

Well, it varies from month to month depending on how many people are out.

**CHAIRPERSON CARPENTER:**

Right, exactly. But I think that •• and you can really appreciate the County Executive and, you know, everyone involved there to come in in January and be faced with this thing.

**UNDERSHERIFF DENZLER:**

Absolutely, and that's why the Commission extended the variances in deference to a new administration.

**CHAIRPERSON CARPENTER:**

Right. But I think it's very encouraging to know that the new County Attorney, you know, that the County Executive has brought in has reviewed •• and I had forgotten that, I had heard that before •• has reviewed the documents and feels that they are, you know, acceptable to be signed. And, you know, I, too, think that might be a way for us to move forward because clearly, you know, even if we were to pass this resolution on Tuesday, there's going to be a time factor in drawing up the necessary agreements and everyone on both sides having a comfort level with it that •• you know, and perhaps a way to get around it is to see if there's some language that could be added to the resolution that would at least show on our part a commitment in that this •• you know, going forward with DASNY is not yet another delay in the

process.

**UNDERSHERIFF DENZLER:**

Right.

**CHAIRPERSON CARPENTER:**

So maybe the Chairman of Public Works and myself can talk about, you know, looking at something like that and offering it to the County Executive to see if they would be willing to do that.

**CHAIRMAN O'LEARY:**

Well, that was my point, Legislator Carpenter, in bringing to DASNY's attention, would they honor any existing contracts that are in place if there were •• if their services were retained at some later date.

**UNDERSHERIFF DENZLER:**

Right now there is no contract in place.

**CHAIRMAN O'LEARY:**

I know that.

**CHAIRPERSON CARPENTER:**

Exactly.

**CHAIRMAN O'LEARY:**

I know that, but if there is a contract in place, will they honor that particular portion before going forward with other services provided by them.

**UNDERSHERIFF DENZLER:**

Thank you.

**CHAIRPERSON CARPENTER:**

Thank you. And again, thanks so much and we'll be in touch.



**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Thanks again. I appreciate the time.

**CHAIRPERSON CARPENTER:**

No problem.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Have a nice day, everybody.

**CHAIRPERSON CARPENTER:**

And thank you to the committee members who attended.

***(\*The meeting was adjourned at 1:09 P.M. \*)***

***Legislator Angie Carpenter  
Chairperson, Public Safety  
& Public Information Committee***

***Legislator Peter O'Leary  
Chairman, Public Works &  
Transportation Committee***

***\\_ \\_ • Denotes Spelled phonetically***